



**CHOICE<sup>SM</sup>**  
**Health Plans**

## **MAKING DECISIONS ABOUT YOUR MEDICAL CARE** **Information for Patients**

This information is distributed in compliance with a federal law called the Patient Self-Determination Act. This law is designed, along with New York State law, to protect your rights to make decisions about your own medical care, including the right to accept or refuse treatment. You also have the right to appoint someone to make decisions for you if you cannot make them yourself.

### **As An Adult, You Have These Rights:**

- You have the right to choose what medical treatment you do or do not want now or in the future.
- You have the right to appoint someone to make your medical care decisions for you if in the future you cannot make those decisions yourself.
- You can make your decisions about your care known by telling your doctor or by putting your decisions in writing.
- You can change your mind at any time.

## **THIS BOOKLET TELLS YOU HOW YOU CAN MAKE DECISIONS ABOUT YOUR MEDICAL CARE**

### **Why Should I be involved in decisions about my medical care?**

Your medical care affects *you* most of all, so *you* should be involved in any decisions about your medical care.

### **How can I be involved in decisions about my medical care?**

Talk with your doctor or home health nurse about the choices you want to make. Ask questions, and let those involved in your care know what your preferences are. Talk to them about what you would want now, but also talk to them about that you would want in the future if you ever become incapable of making your own health care decisions. You can protect your rights by writing down your wishes and having two witnesses sign the statement. Such a statement is called an advance directive.

### **What is an advance directive?**

An advance directive is a document in which you state what you want done if in the future you cannot make your own medical decisions. In New York State, a document that appoints another adult to make health care decisions for you is called a Health Care Proxy. A document that gives specific directions to your doctor and others

involved in your treatment is called a living will. You can have a document that both appoints someone and leaves specific directions.

### **What decides that I am incapable of making health care decisions?**

By law you are assumed to be capable of making health care decisions unless your doctor, sometimes with the assistance of other doctors, decides that you are not capable of understanding the health care decisions you need to make or the risks and benefits of alternative decisions.

### **Who will make health care decisions for me?**

If you do not appoint someone, anyone involved in your care or a court could end up making decisions for you.

### **Who must follow what I say in my advance directive?**

As long as your wishes are legal, anyone involved in your care must follow your wishes or try to find someone who will.

### **What if I disagree with my doctor or home health nurse?**

Your doctor and nurse will treat you according to what he or she believes is best for you. If you and your doctor or nurse cannot agree about your medical care, you may find another doctor or home health nurse.

### **What should I say in my advance directive?**

You can say anything you want, but it is best to appoint someone and to discuss the following questions with that person. You can also put your feelings in writing in your advance directive.

- Do you want to be resuscitated if your breathing or heart stops?
- Do you want to be put on a breathing machine (ventilator or respirator) to restore your breathing if you are unable to breathe on your own?
- Do you want to be fed by tubes (receive artificial nutrition and hydration) if you cannot be fed otherwise?
- Do you want medications, such as painkillers, even if they might make you die more quickly?
- Do you want medications, such as painkillers, even if they might make your die more slowly?

### **Must I have an advance directive?**

No, but it is good to have one so that those involved in your medical care know what you want if you ever become incapable of making health care decisions for yourself.

### **How do I write an advance directive?**

You can write your wishes on a piece of paper or ask us for a form. You should date the document and two people must sign as a witness.

**What should I do with my advance directive?**

You would give a copy to the person you appoint to make health care decisions for you, your doctor, your family and anyone else that might be involved in making decisions about your medical care.

**What if I want to change my advance directive?**

You can change or cancel your advance directive at any time. You can write a new advance directive, destroy the old one or tell those involved in your care that you have changed your mind. You should let anyone you told about your earlier wishes know that they have changed. It is particularly important to let your doctor or nurse know of any changes in your wishes.

**How can I make sure my advance directive is legal?**

Our form meets the requirements of New York State law. If you follow the directions on that form, your advance directive should be legal in New York State. You can also have a lawyer help you draft your advance directive or review the one you have drafted. At this point there is no advance directive form that is valid in all 50 states.

**What if I need more information about advance directives?**

Ask us and we will try to answer your questions or refer you to someone who can help.

This booklet is distributed in accordance with the Patient Self-Determination Act (42 U.S.C., Sections 1395cc and 1396a(a)). It also complies with the requirements of New York Law.